

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

L.J., *et al.*,

*

Plaintiffs,

*

v.

* Civil Action No. JFM-84-4409

RUTH MASSINGA, *et al.*,

*

Defendants.

*

* * * * *

DECLARATION OF DAVID E. BELLER

I, David E. Beller, do solemnly declare upon personal knowledge and penalty of perjury that the following statements are true and correct to the best of my knowledge, information, and belief.

1. I am over 18 years of age and competent to testify to the matters stated herein.
2. I make this Declaration in support of the parties' Joint Motion for Preliminary Approval of Modified Consent Decree, for an Order for Notice of Proposed Modified Consent Decree and Scheduling of a Fairness Hearing, and for Final Approval of Modified Consent Decree ("Joint Motion").
3. I am an Assistant Attorney General for the State of Maryland and represent the defendants in the captioned case. In that capacity, I participated in the negotiation sessions that have resulted in the submission of the Joint Motion.
4. The negotiations, mediated by Judith Meltzer and Kathleen Noonan, were numerous

with both half-day and all day sessions. Mitchell Y. Mirviss, Venable, LLP, and Rhonda B. Lipkin, The Public Justice Center, represented the plaintiffs as these sessions. Julia Doyle Bernhardt, Millicent Edwards Gordon, Assistant Attorneys General, and I, together with Austin Schlick, Chief of Litigation for the Office of the Attorney General, represented the defendants. Brenda Donald, Secretary of Human Resources, and Molly McGrath, Director of the Baltimore City Department of Social Services, participated in all of the sessions.

5. The proposed Modified Consent Decree protects the interests of the class, is fair, reasonable, adequate, and meets the requirements for preliminary approval. It does not provide preferential treatment to any particular members or segments of the class, and does not provide monetary relief to any members of the class.

6. The proposed Modified Consent Decree was the result of extensive, non-collusive, arms length negotiations by experienced counsel. The parties held numerous meetings and exchanged many drafts. Both sides zealously represented the positions of their clients.

7. The parties believe that the benefit to the class of the proposed Modified Consent Decree outweighs the possibility of future relief on its behalf.

6-19-07
Date

David E. Beller
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